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Examiner Brian T. Pendleton, Group Art Unit 2644	U.S. Patent & Trademark Office	(703) 305-9509	(703) 872-9306

From: Benjamin L. Volk Jr.

Date: 01/28/2005


Message:

Atty/Client/Matter No.: 3055/66918/08183

Total Number of Pages, including this page: 46

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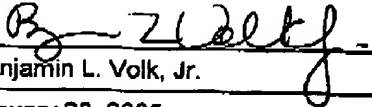
# TRANSMITTAL FORM

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/935,510
	Filing Date	August 23, 2001
	First Named Inventor	Goldstein, Julius L.
	Art Unit	2644
	Examiner Name	Pendleton, Brian T.
Total Number of Pages in This Submission	Attorney Docket Number	16918-8183 (66918/8183)

## ENCLOSURES (Check all that apply)

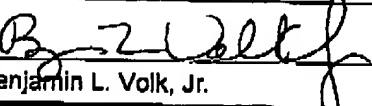
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment and Response C <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declarations(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b> Applicant believes there is no fee due for this filing. However, if a fee is due, the Commissioner for Patents is authorized to charge Deposit Account No. 20-0823. A duplicate copy of this Transmittal is enclosed for that purpose.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Thompson Coburn LLP		
Signature			
Printed name	Benjamin L. Volk, Jr.		
Date	January 28, 2005	Reg. No.	48,017

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Facsimile No. (703) 872-9306 on the date shown below:

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Typed or printed name	Benjamin L. Volk, Jr.	Date	January 28, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/935,510

Filing Date

August 23, 2001

First Named Inventor

Goldstein, Julius L.

Art Unit

2644

Examiner Name

Pendleton, Brian T.

Attorney Docket Number

16918-8183 (66918/8183)

**ENCLOSURES (Check all that apply)**

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☒ Amendment and Response C
- ☐ After Final
- ☐ Affidavits/declarations(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/  
Incomplete Application
- ☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a  
Provisional Application
- ☐ Power of Attorney, Revocation  
Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board  
of Appeals and Interferences
- ☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify  
below):

**Remarks**

Applicant believes there is no fee due for this filing. However, if a fee is due, the Commissioner for Patents is authorized to charge Deposit Account No. 20-0823. A duplicate copy of this Transmittal is enclosed for that purpose.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Thompson Coburn LLP

Signature

Printed name

Benjamin L. Volk, Jr.

Date

January 28, 2005

Reg. No.

48,017

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**PATENT APPLICATION FEE DETERMINATION RECORD**  
Substitute for Form PTO-875

Application or Docket Number  
16918-8183 (86918/8183)

**APPLICATION AS FILED - PART I**

		(Column 1)	(Column 2)
FOR		NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.18(a), (b), or (c))			
SEARCH FEE (37 CFR 1.16(k), (l), or (m))		N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(f))		minus 20 =	*
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =	*
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).		
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(i))			

\* If the difference in column 1 is less than zero, enter "0" in column 2

**SMALL ENTITY**

OR

**OTHER THAN SMALL ENTITY**

RATE (\$)	FEE (\$)
N/A	
N/A	
x =	
x =	
N/A	
TOTAL	

OR

RATE (\$)	FEE (\$)
N/A	
N/A	
x =	
x =	
N/A	
TOTAL	

**APPLICATION AS FILED - PART II**

	CLAIMS REMAINING AFTER AMENDMENT (Column 1)	HIGHEST NUMBER PREVIOUSLY PAID FOR (Column 2)	PRESENT EXTRA (Column 3)
Total (37 CFR 1.16(j))	*71	Minus **71	= 0
Independent (37 CFR 1.16(h))	*12	Minus ***13	= 0
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))			

**SMALL ENTITY**

OR

**OTHER THAN SMALL ENTITY**

RATE (\$)	ADDITIONAL FEE (\$)
x =	0.00
x =	0.00
N/A	
TOTAL ADD'L FEE	0.00

OR

RATE (\$)	ADDITIONAL FEE (\$)
x =	
x =	
N/A	
TOTAL ADD'L FEE	

	CLAIMS REMAINING AFTER AMENDMENT (Column 1)	HIGHEST NUMBER PREVIOUSLY PAID FOR (Column 2)	PRESENT EXTRA (Column 3)
Total (37 CFR 1.16(j))	*	Minus **	=
Independent (37 CFR 1.16(h))	*	Minus ***	=
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(i))			

RATE (\$)	ADDITIONAL FEE (\$)
x =	
x =	
N/A	
TOTAL ADD'L FEE	

OR

RATE (\$)	ADDITIONAL FEE (\$)
x =	
x =	
N/A	
TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

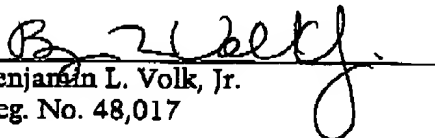
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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Benjamin L. Volk, Jr. Jan. 28, 2005  
Signature of Person Mailing Correspondence  
Benjamin L. Volk, Jr.  
Typed or Printed Name of Person Mailing Correspondence

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****CERTIFICATE OF FACSIMILE TRANSMISSION**

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Benjamin L. Volk, Jr.  
Reg. No. 48,017

In re application of:  
Goldstein et al.

Serial No.: 09/935,510

Filed: August 23, 2001

For: Hearing Aids Based On Models Of Cochlear  
Compression Using Adaptive Compression Thresholds

Examiner: Pendleton, Brian T.

Group Art Unit: 2644

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Amendment and Response C**

In response to the Office Action dated November 2, 2004, Applicant submits the following amendment and remarks.

Amendments to the Abstract are reflected in the marked-up abstract found on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 26 of this paper.

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